

Remarks

The present application includes claims 1-4, 8-14, and 18-19. Claims 1-19 have been rejected by the Examiner. By this Response, claims 1 and 11 have been amended, and claims 5-7 and 15-17 have been canceled and incorporated into independent claims 1 and 11 respectively.

Claim Amendments

By this Response, claims 1 and 11 have been amended to incorporate limitations recited in dependent claims 5-7 and 15-17, respectively, as well as additional limitations related to the animation of the special symbols. Thus, claim 1 now recites wherein, if the predetermined selection outcome occurs, the selected special symbol animates to change into a trigger symbol including a device and a background scene and wherein remaining unselected special symbols animate to change into a background scene, whereby the device of the trigger symbol moves from a starting position across the display and when the device reaches a side of the display, a screen display changes to an initial screen display of the bonus feature. Claim 11 recites similar limitations.

The Applicant respectfully submits that the pending claims should be allowable at least in light of these amendments to the claims.

Claim Rejections

Claims 1-5, 9-15, and 19 have been rejected under 35 U.S.C. 102(b) as being anticipated by Bennett et al. (U.S. Patent No. 6,648,758). The Applicant traverses this rejection for at least the following reasons.

Bennett relates to a gaming machine with an underlying game and a feature game series. See, e.g., Abstract. In the feature game series, which is distinct from the underlying game, a set of special indicia are provided which may have specific functions during the feature game series, such as acting as wild, substitute, or scanner symbols, for example. See, e.g., Abstract; col. 1, lines 38-41. Prior to commencement of the playing of the games of the feature game series, the gaming machine allows the player to select at least one particular special indicia from the set of special indicia to have at least one of the particular functions during that feature game series. See, e.g., Abstract; col. 1, lines 41-55; col. 4, lines 17-20. The feature game series may be triggered by the appearance of a specific picture symbol on the first reel and a different specific picture symbol on the last reel. See, e.g., col. 4, lines 14-16.

However, Bennett does not teach that the symbols for player selection are provided in an outcome of the primary or underlying game and can then be selected by the player, as recited in claims 1 and 11. Then, if as a result of the selection, a predetermined outcome occurs, a bonus feature is awarded. Bennett, on the other hand, pre-selects the symbols apart from the underlying game and does not discuss animating the selected and unselected special symbols into a moving device and background scene, as recited in the pending claims.

Claims 6-8 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bennett as applied to claims 1 and 11 and further in view of Baerlocher et al. (U.S. Patent Appl. No. 2003/0190947). The Applicant traverses this rejection for at least the following reasons.

As discussed above, Bennett fails to disclose the elements recited in independent claims 1 and 11.

Baerlocher relates to a gaming device feature involving one or more symbols traveling from location to location on one or more reels. See, e.g., Abstract. The travel can occur during a primary or bonus round but preferably occurs immediately before or after a triggering event. See, e.g., Abstract; para. [0009]. The player can control which traveling symbol will travel and where it will travel. See, e.g., para. [0009]. For example, the player may select a symbol displayed on one reel, and that selected symbol then travels towards another predetermined symbol on the reels. See, e.g., para. [0014]. When the traveling symbol reaches its destination, it interacts with the symbol it reached. See, e.g., para. [0014].

However, Baerlocher, like Bennett, does not teach or suggest that the symbols for player selection are provided in an outcome of a primary underlying game and can then be selected by the player to determine bonus feature triggering. In the presently pending claims, as opposed to Baerlocher, if, as a result of the selection of the symbol, a predetermined outcome occurs, a bonus feature is awarded. Additionally, whereas Baerlocher has a symbol traveling from one reel position to another reel position to interact with another symbol, the presently pending claims recite *animating the selected symbol into a device and background scene while animating unselected special symbols into background scene*. The device travels through the background scene until it reaches a side of the display. Then a screen display changes to an initial screen display of the bonus feature. These limitations are neither taught nor suggested by the disclosure of Baerlocher.

For at least these reasons, the Applicant respectfully submits that claims 1-5, 9-15, and 19 should be allowable over the cited art of record.

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. However, the Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

CONCLUSION

It is submitted that the present application is in condition for allowance and a Notice of Allowability is respectfully solicited. If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any additional fees or credit overpayment to the Deposit Account of MHM, Account No. 13-0017.

Respectfully submitted,

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